

**MINUTES**  
**HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR**  
**Room B-8 - Civic Center**  
**2000 Main Street**  
**Huntington Beach California**

**WEDNESDAY, OCTOBER 6, 2010 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Ricky Ramos

**STAFF MEMBER:** Tess, Nguyen, Ethan Edwards, Andrew Gonzales, Judy Demers  
(recording secretary)

**MINUTES:** April 28, 2010  
**APPROVED AS SUBMITTED**

**ORAL COMMUNICATION:** **NONE**

**ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 10-015 (BEACH PROMENADE PHASE II)**

APPLICANT: Bijan Sassounian, Developer  
PROPERTY OWNER: State of California, Caltrans District 12, 3347 Michelson Drive,  
Suite 100, Irvine, CA 92648  
REQUEST: To permit (a) the removal of existing asphalt curb and  
construction of street frontage improvements on Beach  
Boulevard, including driveway approaches, accessible curb  
ramps, curb and gutter, catch basins, sidewalk, landscaping, and  
street lights; and (b) the removal of an existing raised highway  
median and construction of a southbound left turn pocket.  
LOCATION: 21022-21190 Beach Boulevard, 92648 (southeast corner of  
Beach Boulevard and Atlanta Avenue)  
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Ms. Nguyen stated that staff had not received any comments regarding the item.

Ricky Ramos, Zoning Administrator, confirmed with staff that Public Works had reviewed and approved the plans for the proposed right-of-way improvements.

**THE PUBLIC HEARING WAS OPENED.**

Bill Holman, representing the applicant stated that he had no comments or concerns with the staff recommendation.

Tom Anthony, Huntington Beach resident, expressed his support with the requested improvements.

**THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

Mr. Ramos stated that based on the information provided, he would approve the request as recommended by staff with a minor change to the order of the conditions of approval.

**COASTAL DEVELOPMENT PERMIT NO. 10-015 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because repairing existing highways and streets, sidewalks, gutters, and similar facilities are exempt from further environmental review.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 10-015:**

1. Coastal Development Permit No. 10-015 for the (a) removal of existing asphalt curb and construction of street frontage improvements on Beach Boulevard, including driveway approaches, accessible curb ramps, curb and gutter, catch basins, sidewalk, landscaping, and street lights and the (b) removal of an existing raised highway median and construction of a southbound left turn pocket conforms with the General Plan, including the Local Coastal Program as follows:

**A. Circulation Element**

**Objective CE 6.1:** Promote the safety of bicyclists and pedestrians by adhering to Caltrans and City-wide standards.

**Policy CE 6.1.10:** Implement appropriate traffic devices and operational programs throughout the community to ensure that conflicts between pedestrians, bicycles, and vehicles are minimized and safety minimized.

The street frontage and median improvement project includes a sidewalk and accessible curb ramp on the east side of Beach Boulevard and left turn pocket in the median of the Beach Boulevard to improve and minimize conflicts between pedestrians, bicyclists and motorists.

**Policy CE 7.1.1:** Require the roadways, as shown in Figure CE-12, to be improved and maintained as local scenic highways, major urban scenic highways, minor scenic highways, and landscape corridors with key entry points.

The street frontage and median improvement project includes installation of new landscaping along the east side of Beach Boulevard and replacement of landscaping in the median of Beach Boulevard as part of the expansion of the shopping center. The new landscaping will comply with the City Arboricultural and Landscape Standards and Specifications.

## B. Coastal Element

Policy C 2.8.1: Promote safe pedestrian access to the beach from the inland side of Pacific Coast Highway.

The street frontage and median improvement project provides a new sidewalk and accessible curb ramp on the east side of Beach Boulevard where no sidewalk or accessible curb ramp exist today. The new sidewalk and accessible curb ramp improvements promote safe pedestrian access to the beach from the inland side of Pacific Coast Highway.

Policy C 4.2.1: Ensure that the following minimum standards are met by new development in the Coastal Zone as feasible and appropriate:

- b) Adequate landscaping and vegetation.

The street frontage and median improvement project includes installation of new landscaping along the east side of Beach Boulevard and replacement of landscaping in the median of Beach Boulevard as part of the expansion of the shopping center. The new landscaping will comply with the minimum landscaping requirements in the City Arboricultural and Landscape Standards and Specifications.

## C. Urban Design Element

Policy UD 1.3.2: Provide for the implementation of streetscape and landscape improvements along the major commercial corridors, through public capital improvement programs, business district improvements, or other techniques as funding is available.

- a) Develop or enhance the pedestrian environment in those parts of the corridors where there is existing or the potential for pedestrian activity, including the use of special paving and pedestrian walkway linkages.

The street frontage and median improvement project provides a new meandering sidewalk on the east side of Beach Boulevard where no sidewalk exists today. The new sidewalk improvements enhance the pedestrian environment and provide a link to the pedestrian walkways to north and south of the project site.

2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The street frontage and median improvements are compatible with the zoning designation of a right-of-way. New driveway approaches, curb ramps, sidewalks, curb and gutter, catch basins, landscaping, and street lights area consistent with all City and Caltrans specifications and standards.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed project includes infrastructure improvements to the street frontage and median along a portion of Beach Boulevard. No other infrastructure improvements, other than routine maintenance, are necessary for the long-term operation of the proposed street improvement project.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed street improvement project will not have negative impacts to public access and recreation opportunities within the Coastal Zone. The

project will result in improved access to coastal resources by improving the street frontage with new sidewalks, landscaping, and street lights.

**CONDITIONS OF APPROVAL – COASTAL DEVELOPMENT PERMIT NO. 10-015:**

1. The site plan and elevations received and dated January 20, 2010 shall be the conceptually approved design.
2. Prior to issuance of an encroachment permit from the Department of Public Works, a Caltrans Encroachment permit for work within the Caltrans right-of-way (for construction of sidewalks, driveways, water connections, etc.) shall be obtained by the applicant or contractor from Caltrans prior to the start of work. A copy of each permit, traffic control plans and other permission granted by Caltrans shall be transmitted to Public Works. **(PW)**
3. All conditions of approval required under Conditional Use Permit No. 08-013, Variance No. 08-007, Entitlement Plan Amendment No. 09-009, Conditional Use Permit No. 10-005, and Variance No. 10-001 shall remain valid and shall be completed at the appropriate stage of development.
4. Coastal Development Permit No. 10-015 shall become null and void unless exercised within two (2) years of the date of final approval by the Zoning Administrator, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning and Building Department a minimum 30 days prior to the expiration date.
5. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**ITEM 2: CONDITIONAL USE PERMIT NO. 10-021 (DELAWARE CLEARWIRE WIRELESS FACILITY)**

APPLICANT: John Moreland, Core Communications  
PROPERTY OWNER: Pacific Medical Towers, 10403 Los Alamitos Boulevard, Los Alamitos, CA 90720  
REQUEST: To permit the installation of new wireless communication antennas consisting of six (6) panel antennas, six (6) microwave dishes, six (6) DAP units, one (1) equipment cabinet and one (1) GPS antenna on the roof of an existing building at an overall height of approximately 151 feet.  
LOCATION: 18792 Delaware Street, 92648 (east side of Delaware Street between Main and Garfield)  
PROJECT PLANNER: Ethan Edwards

Ethan Edwards, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Mr. Edwards stated that staff had received no public comments on the item.

**THE PUBLIC HEARING WAS OPENED.**

John Moreland, applicant, stated that he had no comments or concerns with the staff recommendation.

A discussion regarding equipment screening took place. Staff verified the location of the antenna panels and method of screening.

**THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

**CONDITIONAL USE PERMIT NO. 2010-021 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of the minor alteration of an existing structure, involving no expansion of an existing building.

## **FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 10-021:**

1. Conditional Use Permit No. 10-021 for the installation of new wireless communication antennas roof-mounted to an existing building at an overall height of approximately 151 ft will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The project consists of affixing six (6) panel antennas, six (6) microwave dish antennas, six (6) DAP units, one (1) equipment cabinet, and one (1) GPS antenna on the roof of an existing building at an overall height of approximately 151 ft. The installation of the antennas will assist in filling a gap in coverage not already served by other similar facilities in the area. The project will not adversely impact the area by generating noise, traffic, or parking demand above levels which currently exist on the subject site. The requested height assists in enhancing wireless communications in the community by improving signal transmission and reception in the project vicinity.
2. The conditional use permit will be compatible with surrounding uses because the wireless communication facility will be co-located onto an existing facility located on the roof-top of an existing building. As conditioned, architectural screening will be used to block all aspects of the facility including appurtenances and equipment from public view. The screening shall match the existing building colors and materials.
3. The proposed conditional use permit will comply with the provisions of the base zoning district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance, including the provisions of HBZSO Section 230.96 – Wireless Communications Facilities. Wireless antennas are permitted to exceed the maximum height limit of six stories within the Beach and Edinger Corridors Specific Plan (SP14) with the approval of a conditional use permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of M-sp-pd (Mixed Use -Specific Plan Overlay – Pedestrian Overlay) on the subject property. In addition, it is consistent with the following goal and policies of the General Plan:

### **A. Land Use Element**

Goal LU 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

Policy LU 2.1.1: Plan and construct public infrastructure and service improvements as demand necessitates to support the land uses specified in the Land Use Plan (as defined in the Circulation and Public Utilities and Services Elements of the General Plan).

### **B. Utility Element**

Policy U 5.1: Ensure that adequate natural gas, telecommunication and electrical systems are provided.

Policy U 5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed facility will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. In addition, the installation,

integration and co-location of antennas on the roof-top of an existing building, including the screening of the facility, will assist in minimizing the project's visual impact. The proposed facility is necessary to provide new radio frequency coverage in the vicinity.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 10-021:**

1. The site plan and elevations received and dated July 15, 2010, shall be the conceptually approved design with the following modifications:
  - a. Architectural screening shall be provided to block all aspects of the facility including appurtenances and equipment from public view. (DRB)
  - b. Screening design shall match the existing building colors and materials. (DRB)
2. Prior to submittal for building permits, the following shall be completed:
  - a. One set of project plans, revised pursuant to Condition of Approval No. 1, shall be submitted for review, approval and inclusion in the entitlement file, to the Planning and Building Department.
  - b. Zoning entitlement conditions of approval and code requirements identified in a separately transmitted memorandum from the Departments of Planning and Building, Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. During demolition, grading, site development, and/or construction, the following shall be adhered to:
  - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
  - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
  - c. Truck idling shall be prohibited for periods longer than 10 minutes.
  - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
  - e. Discontinue operation during second stage smog alerts.
  - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/ grading activity.
4. Final building permit(s) cannot be approved until the following has been completed:
  - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
  - b. Compliance with all conditions of approval specified herein shall be verified by the Planning and Building Department.

- c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
5. Conditional Use Permit No. 10-021 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning and Building Department a minimum 30 days prior to the expiration date.
6. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryId=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**THE MEETING WAS ADJOURNED AT 1:42 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, OCTOBER 20, 2010, AT 1:30 PM.**



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Ricky Ramos  
Zoning Administrator

RR:jd